



LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, May 28, 2014 6:00pm

City Council Chambers, 111 South Main Street
LaVerkin, Utah 84745

Present: Chair Pro Tem Karl Benson; Commissioners: Allen Bice, Hugh Howard, and Steve Lisonbee; Staff: Derek Imlay, Kyle Gubler, Kevin Bennett, and Christy Ballard; Public: Richard Hirschi, Mike Madsen, Chief Ben Lee, Brant Tuttle, Blair Gubler, and John & Rose Valenti.

Commissioners Anna Andregg and Kelly Wilson have been excused.

I. Call to Order: Chair Pro Tem Karl Benson called the meeting to order at 6:00pm. The Invocation and Pledge of Allegiance was given by Richard Hirschi.

II. Approval of Minutes:

Commission may approve the minutes of the March 12, 2014 regular meeting.

Motion was made by Commissioner Hugh Howard to approve the March 12, 2014 regular meeting minutes as written, second by Commissioner Allen Bice. Motion carried unanimously.

III. Approval of Agenda

Motion was made by Commissioner Allen Bice to approve the agenda as written, second by Commissioner Hugh Howard. Motion carried unanimously.

IV. Reports:

1. Beautification/Trails Committee-Commissioner Bice reported they did meet to discuss newly completed projects. There are no new projects coming up.
2. Economic Development Committee-Nothing to report.
3. Director of Operations-The Silver Acres Project will be starting the paving process this week. This project has been a complete re-do of the infrastructure, curb, gutter and asphalt. The complaints have been minimal. Interstate Rock has done a great job.

Commissioner Bice asked when the hotel is planning on opening.

Kyle answered June 1st but they will not be making that opening date.

V. Business:

1. Presentation and discussion of conceptual layout of Interstate Rock's phase one. Mike Madsen from Interstate Rock started off by saying the Silver Acres Project did have a few issues but it has been a great project to work on. The people in the area have been making the crew cookies and brownies throughout the entire project.

Mike is here to request a zone change for the Interstate Rock Property located at the north end of Main Street. He has been to this meeting several different times trying to get the Planning Commissions blessing on one R-1-8 area, one R-3-6 area and two commercial zones. The areas are marked on the map. Interstate Rock would like to start on this project at the same time they pour the pad for the new elementary school that will be located there.

In a past meeting the Planning Commission was okay with the R-1-8 zone but Interstate Rock feels it would not be worth the expense to just do the one area. He is here today to request approval for all of the areas. He has made every effort to answer the questions that have been brought up. The Commissioners have taken a field trip to the property and he has had engineered drawings done. Mike is here to get some closer on this. Interstate Rock is known for good developments, they have a good set of plans and he thinks it will be something the City will be glad to have. This project is hand in hand with the school pad and hand in hand with the decision on the school.

Commissioner Benson asked the size of the road that goes through the proposed R-1-8 zone and into the proposed R-3-6 zone.

Mike replied that the roads are engineered roads and the turn is a normal radius. He also reminded the Commissioners that the map is not to dimensions and what is listed is only a conceptual plan. He is here tonight to only ask for the zone change not the plan approval.

The roads will be normal sized roads, Interstate will not be asking for any changes to the roads.

Derek said the roads will be 50ft roads which will allow for parking on either side of the road.

Commissioner Lisonbee asked if it was a standard building practice to have people drive through larger pieces of property to get to the higher density parcels.

Mike replied that it all comes down to what else would you do with the property but yes, people traveling to a residential area will go from zone to zone several times. The particular piece of property being talked about is a very difficult piece to do anything with.

The city of La Verkin has this type of use everywhere.

Commissioner Lisonbee asked Chief Ben Lee; in his experience does the high density area draw more of the police force energy than less dense zones such as the R-1-8.

Chief Lee replied that generally when you are dealing with low income housing there is a lot of turnover especially if you are dealing with rental properties. He can't really specifically speak for La Verkin because he has only been here for six weeks but generally yes, when you are dealing with high density there is a lot more people and a lot more movement and a lot more incidents the police are involved in.

Commissioner Lisonbee stated he brings that issue up because if the elementary school is in that area his family will be spending a lot of time there, his kids will be biking to school and with a high density right across the street that concerns him.

Mike replied that he has this exact same situation in Hurricane and no, it does not attract higher rates of crime or incidents and it runs right through a residential he thinks it is an R-1-10. It does not have a high turnover right now and is a good mix of investor rentals and property owners. The surrounding homes have been there for some time and he has never heard anyone say they were going to move out of the area because of the high density. He thinks that Hurricane and La Verkin would be a similar structure and agreed that some cities higher density areas can become issues. As responsible cities there needs to be high density areas zoned somewhere and there will be a demand for it in La Verkin especially once the school goes in.

There will be a lot of people who need that style in that price range to come to La Verkin. He sees the area being a very nice area. The buildings will be condominium style, not apartments and will be attached like townhomes with each single family owning their own footprint.

Interstate will also be donating the property for a park to go in.

There also has to be some profit motive in a project like this. Homes can't be donated for the community's sake. There is not a lot of movement in La Verkin right now and historically speaking when you put in an elementary school that draws families. Interstate would like to make their property one of the best places to live in the City. They feel the high density will be a great buffer from the State Highway to the residential zone.

From a business standpoint Interstate is highly vested in this project, they have spent just over \$125,000. Some of that was the engineering thing that had to happen. Interstate needs an answer.

Commissioner Lisonbee asked how many underdeveloped lots La Verkin has right now. Are we at a point where supply and demand is such that we need more lots to sell or do we have enough lots, people just aren't coming?

Derek answered the City has less than a handful of subdivisions with property still available. New subdivisions coming online are fairly warranted at this point. There is a lot of building going on right now.

Mike mentioned Interstate's subdivisions in Toquerville and Hurricane are all showing steady growth. The homes built in La Verkin are the same homes but need to be priced a bit less at this stage. The homes cost the same to build in every city so the underlying ground and the cost of the infrastructure need to be enough lower to attract the demand. It is always a gamble with projects like this but Interstate is willing to take that risk and invest the money for this project. They feel it will be a good thing.

Richard Hirschi asked if the project will be done at one time or in phases.

Mike replied the infrastructure will be done at one time but the homes will be in phases.

Commissioner Benson asked procedurally what needs to happen next.

Kevin replied that the application and fee need to be paid if they haven't been already. Then the City needs the legal description for all of the properties involved in the zone change so a public hearing notice can be posted and an ordinance can be written. The buildings will need to come off the map especially the ones that are not consistent with our code unless Interstate wants to go through the process to amend the code allowing the types of buildings that are depicted.

Derek explained Mike is here to find out if the Commissioners are willing to allow the requested zone changes before they invest anymore time and money into this project.

Kevin explained the changes can happen one of two ways. The developer can request a zone change first and then come back to the planning commission to request approval for the actual development or they can run them through together.

If Interstate Rock wants only the zone approval the buildings need to come off the preliminary map and we move forward with changing the zoning for the land if it's appropriate for that area regardless of what they want to put in there. If they want to move the whole development simultaneously then they need to have drawn out what they are going to do. If that is not possible with our current code they need to go through the process and see if the Commissioners and City Council are willing to come up with an alternative to our R-3-6.

Derek said the buildings are on the map because it was requested by the Planning Commission. They are actually higher density than the R-3-6 zone so if approval is given for the requested zone changes Interstate will get exactly what that zone allows. The buildings will come off and Interstate will provide a legal description and pay the application fee.

Commissioner Benson pointed out that the R-1-8 was okayed at the last meeting so the high density is what needs to be discussed tonight.

Mike said that he can't keep coming here every month. This is the first time he had heard any of the things Kevin said. Everything that has been done on Interstate's part has been requested by the Planning Commission. All he wants is the approval or disapproval to know if he needs to go to the City Council for the zone change. Then he will do the application.

Kevin pointed out the Commission can't give approval until the public hearing has happened and in order for that to happen the application fee needs to be paid. The only thing that can happen tonight is the Commission can tell Mike whether or not they are interested in making the change.

Mike replied that is what he wants to know. He appreciated the approval of the R-1-8 but Interstate realized the project wouldn't be financially feasible without the higher density. The comments he heard tonight does not make him very happy. They have done and will do everything required to move this project forward.

Commissioner Lisonbee commented that Interstate Rock has a great track record and is a great partner in a lot of communities. The name and projects done in the past has nothing to do with his recommendation. He is glad to see people are interested in doing things in La Verkin. Is there are certain quantity of condo's that need to be developed to be financially feasible for Interstate?

Mike replied there is but he does not have that information with him tonight.

Commissioner Lisonbee said he is having a tough time trying to envision how many units compared to homes will be down there. He is still concerned with high density being next to a school. His limited experience with high density areas is that they are very transient and does create an environment which does not typically upkeep the home which creates a burden for the community. For these reasons along with not feeling like there is a high demand for property he is not in favor of the high density zone change.

Commissioner Benson said tonight no formal action can be taken. The Commissioners can either conceptually agree or disagree with it and then asked how each Commissioner felt.

Commissioner Bice said he is conceptually in favor with it. He did have some concerns such as Interstate Rock selling to someone else who may not have the same standards as they do. He has been assured that with everything else they have going on in that area selling will not be an option. He was also concerned Interstate would ask for more high density at a later date but that is not in their master plan either. He feels La Verkin needs some high density and he doesn't feel that Interstate is going for low income, just high density. He is in favor of it and would like to see it happen.

Commissioner Howard is concerned with the high density area right off the road at the entrance. There is no access to the park and will be a high traffic area, he is concerned with it becoming low income rentals.

No motion needs to be made tonight. Mike would just like to know if the Planning Commission is in favor of the R-3-6 zone or if he needs to go to the City Council for approval.

Mike explained to the Commissioners that the development, Pecan Park in Hurricane, is what Interstate Rock wanted to pattern this development after. La Verkin's current code does not allow for anything larger than a four-plex. The units in Hurricane have six-plexes.

Kevin said that Interstate Rock was invited months ago to come and meet with Staff to try and come up with an alternate zone. That never happened.

Commissioner Lisonbee asked if Interstate was interested in only four-plexes.

Mike answered that Pecan Park is the prototype for this project and that has several different sizes. A nine-plex, seven-plex, there is one four-plex. Interstate feels it has better eye appeal with varying sizes but if La Verkin only allows four-plexes that is what they will do.

Commissioner Howard likes the idea of Interstate Rock developing the area, they do nice projects. He is a bit worried about the high density areas but doesn't want to discourage the project so he would be okay with moving forward.

Commissioner Benson agrees with Commissioner's Bice and Howard.

Mike asked Kevin what needs to happen now.

Kevin replied what the code says unless, as he mentioned before, Interstate wants something that is not in the Code such as larger units then they will need to go through that process.

Kevin also mentioned he doesn't have a problem with larger units. Having staggered sizes is more visually appealing.

Mike thanked the Commissioners.

2. Presentation and discussion on Sunset View Estates Development Agreement and subdivision layout with possible setting of a public hearing for June 11, 2014.

Brant Tuttle from Northern Engineering is here representing Greg Stewart who is the owner of the Sunset View Estates Subdivision. Brant explained the subdivision was approved in 2006 and work started then the economy fell and the development was foreclosed on. Mr. Stewart bought the property from the bank the plat was never recorded so they have been in the process of getting approval again. They have been working very closely with Staff and are at the point they are ready for the public hearing. Part of the agreement is that the developer will improve 400 N and Webb Street.

Commissioner Benson is concerned with drainage. The lots on the west boundary have a retaining wall in some places and a chain leak fence in the other areas. Lots cannot drain onto the neighbor's lots according to City Code. He doesn't see anything to prevent that from happening.

Derek replied there is a detention basin on the East side of the road it will collect there, go underground and surface on Webb Street.

Commissioner Benson pointed out the homes to west of the subdivision are below the subdivision by 20-30 feet. What prevents water from coming down onto those properties.

Brant replied the only water that would run off of those lots would be from the individual lot and building permits could require a berm put in to care of that. It would be part of the soils report.

Commissioner Benson stated that according to the Hillside Ordinance they can only go up five feet then they have to step back and go up five more for a retaining wall. So building a big block wall like the one that is by the water tank would be a violation of the Hillside Ordinance and the plat has never been registered.

Derek explained the original walls were built in 2006 and that was prior to the Hillside Ordinance. The new developer is not changing or doing anything different.

Brant said that the lots around retaining wall have been eliminated due to the results of the Rock Fall Berm Study.

Commissioner Benson stated it is not a safe environment and that concerns him. If this plat has never been registered we are starting from ground zero.

Kevin replied that it is not starting from ground zero. The plat was never recorded because the City would not let them get final approval until all the infrastructure was in. In the process of putting the infrastructure in the economy crashed and the owner lost the property.

The new developer wanted to just come in and pick up where the previous owner left off. In that process they have had to give up some of the original building lots.

The Hillside does not apply to this development because it was vested as soon as the completed application came with the laws that were in effect then.

Since the work did not get finished in 2006 some of the areas had eroded away causing some problems so a new Soils Survey was done. They have added 2 more detention basins for drainage and have eliminated several building lots.

Commissioner Benson asked if the storm sewer will be surface drainage into the detention basins.

Derek replied the detention basins will catch whatever comes off the hillside and will be dumped into an underground drainage that will surface onto Webb Street and 400 North. The water impact will be significantly less than what has historically been coming down it now. Whatever runoff comes off that hill will catch in the detention basin and will release at a certain rate into the mentioned streets. It will be an underground drainage facility.

Kevin said that will all go in when they make the improvements to the roads.

Derek said they would like to shift everything North. The City is overloaded any other way.

Commissioner Benson asked what will happen to the homes on the west that are lower than the new subdivision.

Derek explained the old developer owned the house and property on the south end of the project. He was going to put another road into the subdivision at 200 North with some high density there. So he put the drain line in and was going to have a detention basin on his property, that line and basin will be taken out and a new pipe will be installed taking everything north to daylight onto Webb Street.

Commissioner Benson pointed out all of those lots are tiered away from the street, where will the water go?

Derek answered that there is a historic drainage that goes down through those lots and could continue to do so as long as the development doesn't increase the overall flow. This project is reducing the water that does/could flow off there.

The home owner is required to maintain their water on their property so it will be up to the soils engineer and the home owner to figure that out when the time comes.

Brant stated there is already a substantial amount of runoff and they have addressed how best to handle it to get it through the subdivision without flooding the houses.

The original development had 59 lots; it is now down to 53.

Commissioner Lisonbee commented this will be a nice subdivision. They are nice size lots, with a great view and are compliant with the current Code and will increase the number of available lots in La Verkin. He would rather see this type of building than R-3-6.


Derek pointed out this area is an R-1-14 zone. The development agreement allows them to have multiple size lots and they will improve 400 North. It will also help with the tumbleweed issue the homes in Hillside Terrace deal with.

Motion was made by Commissioner Hugh Howard to set a public hearing for the Development Agreement and subdivision layout for Sunset View Estates on June 11, 2014, second by Commissioner Allen Bice. Motion carried unanimously.

VI. Adjourn:

Motion was made by Commissioner Hugh Howard to adjourn, second by Commissioner Stephen Lisonbee. Motion carried unanimously at 7:08pm.

Minutes taken on behalf of the City Recorder by Christy Ballard.



Planning Commission Chair

6-11-14

Date Approved

